

**IN THE UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF MISSOURI
AT KANSAS CITY**

In re:)	
)	Case No. 18-40629-drd7
FRED GRAHAM VAN NOY)	
)	Chapter 13
Debtor.)	

FRED GRAHAM VAN NOY)	
)	
Plaintiff,)	Adversary No. 18-04241
v.)	
)	
TRINITY FINANCIAL SERVICES, LLC)	
)	
Defendant.)	

DEFENDANT’S ANSWER TO COMPLAINT TO AVOID LIEN

COMES NOW Defendant Trinity Financial Services, LLC, by and through its attorney of record, Chris M. Troppito of Troppito Miller Griffin, LLC, and for its Answer to Plaintiff’s Complaint, states as follows:

1. Defendant admits the allegations contained in paragraph 1 of Plaintiff’s Complaint.
2. Defendant lacks knowledge or information sufficient to form a belief about the truth of the allegations contained in paragraph 2 of Plaintiff’s Complaint, and therefore denies the same.
3. Defendant lacks knowledge or information sufficient to form a belief about the truth of the allegations contained in paragraph 3 of Plaintiff’s Complaint, and therefore denies the same.
4. Defendant lacks knowledge or information sufficient to form a belief about the truth of the allegations contained in paragraph 4 of Plaintiff’s Complaint, and therefore denies the same.
5. Defendant admits the allegations contained in paragraph 5 of Plaintiff’s Complaint.

6. Defendant admits the allegations on paragraph 6 of Plaintiff's Complaint, and affirmatively states that it does in fact hold a security interest in the subject real property.
7. Defendant admits the allegations contained in paragraph 7 of Plaintiff's Complaint.
8. Defendant admits that it holds a deed of trust on the subject real property, but lacks knowledge or information sufficient to form a belief about the truth of the allegations contained in paragraph 8 of Plaintiff's Complaint, and therefore denies the same.
9. Defendant admits the allegations on paragraph 9 of Plaintiff's Complaint.
10. Defendant denies the allegations contained in paragraph 10 of Plaintiff's Complaint.
11. Defendant denies the allegations contained in paragraph 11 of Plaintiff's Complaint.
12. Defendant denies the allegations contained in paragraph 12 of Plaintiff's Complaint.
13. Defendant denies all allegations not specifically admitted herein.
14. Defendant consents to entry of final orders or judgment by the bankruptcy court.

AFFIRMATIVE DEFENSES

15. Plaintiff has failed to state a claim upon which relief can be granted as Plaintiff's valuation of the subject property is not the true value, and there is equity to secure some or all of Defendant's security interest.
16. Defendant reserves the right to amend or supplement its Affirmative Defenses should it become necessary during the course of this litigation.

WHEREFORE, Defendant prays the Court enter judgment in its favor on Plaintiff's Complaint, deny any and all relief requested by Plaintiff in Plaintiff's Complaint, and for such other and further relief as the Court shall deem just and proper.

Respectfully submitted,

Troppito Miller Griffin, LLC

By: /s/Chris M. Troppito

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ATTORNEY FOR DEFENDANT

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on January 2, 2018, a copy of the foregoing Answer was served upon Plaintiff's counsel via the Court's Electronic filing & service system.

/s/Chris M. Troppito

Chris M. Troppito